

Notice of Allowability	Application No.	Applicant(s)	
	10/631,329	CRUZ-URIBE ET AL.	
	Examiner	Art Unit	
	Anh T.N. Vo	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response to Election/Restriction filed on 4/18/2005.
2. ☒ The allowed claim(s) is/are 1-9, 14, 53-55, 61-63, 88 and 90-92.
3. ☒ The drawings filed on 30 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>7/30/2003</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to an applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The following changes have been made in a subject of the application to place the claims in a condition for allowance:

Claims

Claims 10-13, 15-52, 56-60, 64-87, and 89 have been canceled.

In claim 1:

- line 8, deleted "said".
- line 9, deleted "said".

In claim 7:

- line 2, deleted "translationally".

In claim 88:

- line 4, changed "fluid of" to --of fluid--.
- line 10, deleted "said".

In claim 90:

- line 14, deleted "said".

In claim 91:

- line 11, deleted "said".
- line 15, deleted "said".

In claim 92:

- line 11, deleted "fluid ejectors of".

The above change was made to avoid lack of antecedent basic problem and redundant word and to place the application in better condition for allowance.

REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance:

Claims 1-9, 14, 53-55, 61-63, 88, and 90-92 are allowed because none of the prior art references of record teaches a fluid dispensing system comprising a photodetector that is electrically coupled to a fluid ejector, wherein moving a photon source over at least a portion of a fluid ejector array, selectively illuminates photodetectors, thereby selectively activating fluid ejectors coupled to the illuminated photodetectors in the combination as claimed.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art references (US Pat. 4,794,59; US Pat. 5,276,459; US Pat. 5,796,415; US Pat. 6,053,597) cited in the PTO 892 form show an ink jet printer that is deemed to be relevant to the present invention. These references should be reviewed.

CONCLUSION

Any comments considered necessarily by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 9:30 A.M. to 7:30 P.M..

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The fax number of this Group 2800 is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Anh T.N. Vo', with a long horizontal flourish extending to the right.

ANH T.N. VO
PRIMARY EXAMINER

June 15, 2005